

BY-LAWS
OF THE
Mutual Fire Insurance Company
OF PRESCOTT.

PASSED 21ST FEBRUARY, 1856.

ARTICLE I.

SEC. 1. The property, affairs and concerns of this Company shall be managed by a Board of Directors, to be chosen annually, on the first Monday in June, to be composed of seven persons, and to be elected at the Town Hall in the Town of Prescott, at seven o'clock p. m. Thirty days' previous public notice of such election shall be given by the Secretary, in the newspapers printed and published in the said Town of Prescott. And in case an election shall not be held according to such notice, it shall be the duty of the Secretary to give notice of an election of Directors, by giving at least one week's notice, as aforesaid, of such election, provided such election be held within ten months from the annual day appointed for holding such election; and the Directors, so elected at any annual or subsequent meeting, shall hold office until a new election takes place, and that all elections for such Directors shall be by ballot.

SEC. 2. That the Directors, as soon as may be after an election, shall proceed to elect, from their own number, a President, Vice President, Secretary, Treasurer, and an Executive Committee, each of whom shall hold their respective offices until others are elected in their places. The election of President shall be by ballot.

SEC. 3. That the Directors shall hold their meetings, for the transaction of business, at least once a quarter, at the Office of the Secretary, in the Town of Prescott, at the hour of two o'clock p. m.; and that Five Directors shall be a quorum for the transaction of the business of

the Company. The Secretary, upon any urgent occasion, may in his discretion call an extraordinary meeting of the Directors.

SEC. 4. At all meetings of the Directors the President shall preside, or in his absence the Vice President; and in the absence of both, a President *pro tem*, chosen from the Directors present. And when there shall be an equality of votes at any sitting of the Board of Directors, the President shall have a casting vote. Also, the Board of Directors shall have power to convene, at any time, a general meeting of the Company, upon any urgent occasion.

SEC. 5. It shall be the duty of the Secretary to keep a Record of the proceedings of the Board of Directors and Executive Committee; to preserve the Premium Notes and Applications for Insurance, and all other papers coming into his hands necessary to be preserved; to keep a Record of all Policies of Insurance, Transfers, Alterations, Assignments, and Surrenders; to answer all communications on the business of the Company; to receive the advance Premiums and pay the same to the Treasurer; to keep all Accounts between the Company and its Officers and Agents; to report quarterly to the Directors the amount due the Company from its Agents; the amount collected by him during the Quarter, and the amount drawn on the Treasurer; and to perform all other duties pertaining to his office. Before entering on the duties of his office, he shall give a Bond to the Company in the sum of Five Hundred Pounds, Currency, with two good and sufficient Securities in Two Hundred and Fifty Pounds each, to the satisfaction of the Board of Directors, conditioned for the faithful discharge of the duties of his office.

SEC. 6. It shall be the duty of the Treasurer to receive and keep all moneys belonging to the Company; to pay all orders drawn on him signed by the President, and countersigned by the Secretary, out of the moneys in his hands belonging to the Company; to make and file with the Secretary, quarterly, a Report of the state of the Treasury; the amount received by him; the amount

paid out during the quarter. Before entering on the duties of his office, he shall give a Bond to the Company in the sum of Five Hundred Pounds, Currency, with two good and sufficient Securities in Two Hundred and Fifty Pounds each, to the satisfaction of the Board of Directors, conditioned for the faithful discharge of the duties of his office.

SEC. 7. It shall be the duty of the Executive Committee to examine into the affairs of the Company on or before the ninth day of each month; to audit all losses or accounts presented for payment; to audit and settle the accounts of the Secretary and other Officers; to prepare and submit to the Board of Directors, Quarterly Statements of the affairs of the Company. It shall be the duty of the said Committee, or any two of them, to approve or reject the bonds of Agents, and the Applications of any person or persons to become insured by the Company: said Committee shall also have power to revoke the powers of any Agent, and to order his Bond to be prosecuted upon such notice as they shall deem expedient, and shall possess generally the power to transact the business of the Company, in place of the Board of Directors; provided, however, that the transactions of the said Committee shall be subject to revision and correction by the Board of Directors at any regular meeting thereof.

SEC. 8. It shall be the duty of the General Agent to appoint Sub-agents for the Company, and shall have charge of the same, but the said Sub-agents are to render all accounts to the Company. Before entering on the duties of his office, the General Agent shall give a Bond to the Company in the sum of Five Hundred Pounds, Currency, with two good and sufficient Securities in Two Hundred and Fifty Pounds each, to the satisfaction of the Board of Directors, conditioned for the faithful discharge of the duties of his office.

SEC. 9. Every Sub-agent shall give a Bond to the Company in the sum of One Hundred and Twenty-five Pounds, Currency, with two good and sufficient Securities in Fifty Pounds each, to the satisfaction of the Ex-

Executive Committee, conditioned for the faithful discharge of the duties of his office.

Sec. 10. The President shall receive Two Pounds per hundred for signing all Policies. The Vice President shall receive the same for similar services.

The Secretary shall receive for his services Two Shillings and Six Pence for each Policy; also, One Shilling and Three Pence for Approving and Recording Assignments, and Alterations, and such other necessary expenses as the Board of Directors, or Executive Committee shall deem expedient; and if at any time the business of the Company shall require additional assistance in his office, the Board of Directors may allow him to employ a Clerk or Deputy, to be paid such salary as may by them be deemed reasonable.

The Treasurer shall receive for his services a Salary of Ten Pounds, Currency, per annum.

The Executive Committee, Directors, and other Officers, when engaged in business other than the business of their offices, shall receive Seven Shillings and Six Pence per day, and Six Pence per mile for travelling expenses. The General Agent shall receive for his services Two Shillings and Six Pence on each Policy issued.

Sec. 11. It shall be the duty of Sub-agents to send a Quarterly Statement of their Accounts, containing the name of each person insured, the amounts received of same, and pay over all moneys in their hands due the Company, the first of January, April, July, and October, of each year, and oftener if required by the Secretary.

Sec. 12. It shall be the duties of the Officers and Directors of this Company to present all Accounts they may have against the Company at the close of each quarter, for approval of the Executive Committee, to be paid by the Company.

Sec. 13. A Seal shall be provided bearing the inscription following, that is to say, "*The Mutual Fire Insurance Company of Prescott*," which shall be the Seal of this Corporation for all purposes, which Seal shall remain in the keeping of the Secretary, and shall

not be affixed to any instrument whatever except by direction of the Executive Committee.

SEC. 14. The hours of business of the Company at Prescott shall be, from 9 o'clock a. m. to 4 o'clock p. m.

SEC. 15. No single Risk shall be taken to a larger amount than £625, nor less than £25.

ARTICLE II.

SEC. 16. All persons insured by this Company, and sustaining loss or damage by fire, are forthwith to give notice thereof, in writing, to the Secretary, and within thirty days after such loss or damage, to deliver to the Secretary a particular account thereof in writing, signed by them, and verified by their oaths or affirmation; also, if required, their books of account, and other paper vouchers; and shall also declare, on oath or affirmation, whenever any and what other insurance has been made on the said property. And in case of any fraud or false swearing or affirming, the claimant shall forfeit all claims he may have by virtue of his Policy. In case of any disagreement between the Insured and the Directors, regarding any loss or damage by fire, the question shall be submitted to three disinterested persons as referees, one of whom shall be named by the Board, and one by the suffering party; and the two referees so named shall name the third; and the decision or award of a majority of them shall be binding.

SEC. 17. No allowance shall be made for loss or damage by fire on jewels, plate, plated ware, medals, pictures, family paintings, sculpture, or musical instruments, except pianos, which shall be considered as household furniture, unless specially mentioned in the Policy; but no allowance is to be made in any case for gilding, historical or landscape painting, stucco or carved work.

SEC. 18. Any Policy of Insurance issued by this Company, signed by the President, and countersigned by the Secretary, (but not otherwise,) shall be deemed valid and binding on the Company, in all cases where the assured has a title in fee simple unincumbered to the building or buildings insured, and to the land covered by

the same: but if the assured have a less estate therein, or if the premises be encumbered, the Policy shall be void, unless the true title of the assured and the incumbrances on the premises, be expressed therein and in the application therefor.

SEC. 19. Every Policy shall be void on the alienation of the property insured, and the Policy shall be surrendered to the Directors to be cancelled: provided, however, the grantee or alienee having the Policy assigned to him, her or them, may have the same ratified and confirmed upon application to the Directors, and with their consent, within thirty days next after such alienation, on giving proper security to the satisfaction of the Directors, for such portion of the deposit or premium Note as shall remain unpaid.

SEC. 20. That every Policy issued by this Company shall be void in case of an insurance in any other Company at the same time, unless such double insurance subsist with the consent of the Directors, signified by endorsement on the back of the Policy, signed by the President and Secretary.

SEC. 21. A payment of twenty-five per cent. on amount of Premium Note shall be paid before the issuing of the Policy, together with five shillings for each Policy, and two shillings and six pence for Survey.

SEC. 22. When Insurance is required on more than one building, in the same Policy, the amount on each must be named, also the amount on furniture, goods, grain, &c. &c.

SEC. 23. Not more than *two-thirds* of the estimated cash value of buildings or other property, shall be insured by this Company.

SEC. 24. Every person effecting Insurance in this Company shall, before he receives his Policy, deposit his Promissory Note with the Directors, payable to the said Company, for such sum of money as the Board of Directors shall determine—a part of which Note, to be determined by the Board of Directors, shall be immediately paid to the Treasurer, and the remainder of said Note shall be payable as the said Board shall direct.

SEC. 25. That no Insurance shall be made by this Company for a term of more than three years, nor for a less term than one month.

CHANGES.

SEC. 26. If the Insured change the business carried on in his building from a low to a high class, he must give notice thereof with reasonable diligence, and, if any person make an erection within 120 feet of the buildings insured, or change the occupation of those existing to render them more hazardous, the like notice shall be given, stating the distance thereto, and occupation, and the Company will allow the same at its standard rates.

SEC. 27. Whenever any alterations or additions shall be made to any buildings insured, application may be made to the Secretary, or a Surveyor in the vicinity of the applicant, who shall certify his opinion, whether the same increase the hazard or not; and in case the Surveyor or Secretary shall judge that said alterations or additions do increase the risk, then they shall say how much, and take an additional Note for such increased risk; and when approved by the Secretary, he shall enter a minute thereof on the Record of said Policy, and forward to the Insured a certificate thereof.

SEC. 28. Whenever any one hereafter insured shall alienate, conditionally or by mortgage, his Policy shall be void, unless he shall make a representation thereof, in writing, to the Directors, stating the amount, and to whom mortgaged; and the Secretary shall have the power to give the assent of the Company to said mortgage, or cancel said Policy, as he shall judge proper, on examination of the same.

SEC. 29. When buildings are mortgaged at the time they are insured, the Mortgagee may have the Policy assigned to him, on his signing the Premium Note, or giving security for the same; or the Secretary, when application shall be made to him, shall be authorized, upon said applicant signing said Note, or giving security as aforesaid, to give the assent of the Company to said assignment, which said assent and assignment, or a true

certificate thereof, shall be entered on the record of said Policy.

SEC. 30. Any person insured by this Company, may, at his option, surrender his Policy, by depositing it with the Secretary, and paying all assessments, if any unpaid, and he shall be entitled to his Premium Note at the expiration of thirty days thereafter, by paying his proportion of all losses and expenses of the Company, previous to such surrender.

SEC. 31. The Board of Directors may, for good cause, revoke, in part or in whole, any Policy issued by this Company, and the same shall take effect at the expiration of thirty days after the Secretary shall serve, or cause to be served, upon the Insured a written notice of such revocation, a copy of which shall be filed, with the affidavit of service in the office of the Secretary, and the Insured shall be subject to the same liabilities to the Company as though he, she or they had surrendered the said Policy; but all liabilities for subsequent losses shall cease at the expiration of the said thirty days after such notice.

SEC. 32. Whenever any Policy, issued by this Company, shall be cancelled at the request of the Insured, or by his act, alienation, or default, no part of the percentage, or original premium, shall be refunded to him, or them; but in case any Policy shall be cancelled or rescinded by the act of the Company, not grounded upon any act of the Insured, a just proportion thereof shall be refunded.

SEC. 33. The By-laws of this Company shall not be altered or modified without the consent of a majority of the Directors, at a regular authorized meeting of the Board.

SEC. 34. All Communications to the Company are to be addressed, post paid, to the Secretary, at Prescott, and when relating to a Policy, the number of such Policy to be given.

ALFRED HOOKER, President.

H. HURLBURT, Secretary.

TELEGRAPH PRINT.